

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed December 5, 2006. At the time of the Final Office Action, Claims 1-21 are pending in this Application. Claims 1-21 stand rejected under 35 U.S.C. § 102(e). Claims 1, 8, and 14 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

No New Search is Required

Claims 1, 8 and 14 have been amended based on features previously raised in at least Claims 2 and 3. For this reason, the Examiner has already performed a search for the features and limitations recited by way of the new amendments. Thus, Applicants' amendments should be entered.

Rejections under 35 U.S.C. § 102

Claims 1-21 stand rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0100036 by Sean Moshir et al. ("*Moshir*"). Applicant respectfully traverses and submits the cited art does not teach all of the elements of the invention as claimed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the reference cited as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited reference does not show all the elements of the present Claims.

Moshir is generally directed to methods, articles, signals, and systems for determining whether software should be updated. Software updating, deployment, installation, file distribution based on software and patch finger printing is facilitated to multiple operating

systems and devices through networking. (Paragraph 20). The patch fingerprints of *Moshir* “give a recipe to allow a repository component to determine if a given software package, patch, driver, etc. should be loaded onto a computer in the system.”

The information collected from the patch fingerprints, inventory library, and specific information of each network target computer will be used to allow the system the ability to recommend which patches and drivers are required for a given computer. (Paragraph 22). The system of *Moshir* further employs a discovery agent that searches hardware and software on a particular machine in addition, the discovery agent scans results for patch fingerprints to indicate whether it is appropriate to install a specific patch. (Paragraph 23).

The Office Action states:

automatically comparing [the] discovered attributes with the predefined set of *valid device attributes* (pars. 82-82 124 and 126 evaluator at update server comparing *current configuration/discovered attributes* with *recommended configuration/valid device attributes*; (claim 1 gathering and comparing steps);

generating output data that indicates *whether the discovered attributes match the valid device attributes* (par. 127 proposed update list as “output data”).

(Office Action, Page 5-6 -- emphasis added).

Further, *Moshir* teaches:

The discovery agent 548 then compares the current 700 and recommended 704 configurations and prepares a proposed list of updates 708 for the target computer 500. The update list may include service packs for installed software, previously uninstalled software, updated data files, and the like. The process of preparing the suggested list may take into account not only the current software configuration but also information such as the hardware configuration 608, and how often a particular program, data file, etc. is accessed 604, as well as other information that is known to one of skill in the art. An administrator may be automatically notified of the update list.

(Paragraph 126 -- emphasis added).

Claims 1, 8, and 14 are allowable over *Moshir*

Claim 1, as amended, recites, among other limitations, a method comprising:

automatically comparing the discovered attributes with a predefined set of valid device attributes; and

generating output data of invalid attributes and corresponding valid attributes.

Claim 8, as amended, recites, among other limitations, a program product comprising:

automatically comparing the discovered attributes with a predefined set of valid device attributes; and

generating output data of invalid attributes and corresponding valid attributes.

Claim 14, as amended, recites an information handling system, wherein a network configuration includes, among other limitations, the processing resources perform operations comprising:

automatically comparing the discovered attributes with a predefined set of valid device attributes; and

generating output data of invalid attributes and corresponding valid attributes.

Applicants respectfully submit that *Moshir* fails to disclose all the elements of the claimed embodiment of the invention. According to the cited portions above, *Moshir* discloses that the “discovery agent” generates or “prepares a proposed list of updates.” *Moshir*, however, fails to teach an update list that generates a list of both ***valid and invalid*** configurations. *Moshir*, therefore, fails to disclose the limitation of “generating output data of invalid attributes and corresponding valid attributes” as recited in Claims 1, 8, and 14, and, therefore, cannot anticipate Claims 1, 8, and 14.

Given that claims 2-7 depend from Claim 1, Claims 9-14 depend from Claim 8, and Claims 15-21 depend from Claim 14, Applicants respectfully submits that Claims 2-7, 9-14, and 15-21 are allowable. As such, Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 1-21.

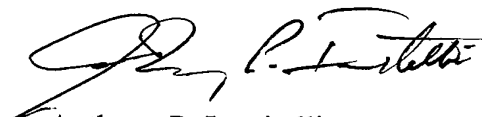
CONCLUSION

Applicants appreciate the Examiner's careful review of the application. Applicants have made an earnest effort to place this case in condition for examination and allowance. For the foregoing reasons, Applicants respectfully request reconsideration of the rejections and full allowance of Claims 1-21.

Applicants believe there are no fees due at this time; however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 02-0383 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2642.

Respectfully submitted,
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